

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

	*	
RIVIERA MARSHALL,		
Petitioner,	*	
VS.	*	
		CASE NO. 4:06-CR-26 (CDL)
UNITED STATES OF AMERICA,	*	
Respondent.	*	

ORDER ON REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE

After a *de novo* review of the record in this case, the Report and Recommendation filed by the United States Magistrate Judge on February 27, 2012 is hereby approved, adopted, and made the Order of the Court. The objection of the Petitioner has been considered and is found to be without merit. The Court does note that to the extent the Magistrate Judge's recommendation references the incorrect edition of the Federal Sentencing Guidelines regarding Petitioner's Ground 7, the Court has examined the correct edition and finds no difference between the applicable guideline in the correct edition and the edition referenced by the Magistrate Judge. Under the correct edition, Petitioner is not entitled to a sentence reduction. The Court also adopts the Magistrate Judge's recommendation that a Certificate of Appealability should be denied.

IT IS SO ORDERED, this 25th day of October, 2012.

s/Clay D. Land  
CLAY D. LAND  
UNITED STATES DISTRICT JUDGE